



**TESTIMONY FROM THE ASSOCIATION FOR A BETTER NEW YORK  
TO THE NEW YORK CITY TAXI & LIMOUSINE COMMISSION ON  
PROPOSED FHV DISPATCH RULES**

May 28, 2015

I am Jen Hensley, Executive Director of the Association for a Better New York, the city's premier civic organization that has, for 43 years, advocated to make New York a better place to live, work and visit.

New York has always been a city that thrives on innovation, opportunity, and dynamism, and it's exciting to see the evolution that's taken place in the taxi and for-hire vehicle industry over the past several years. There's no doubt that riders throughout the city have benefitted from the greater competition in the market, and we applaud the TLC for their efforts to ensure that every car serving the public is in good repair and operating safely, and every driver is screened and licensed. We also recognized that many of the regulations on the books already at the TLC are designed to protect passenger safety, which is a goal everyone here should share.

We further believe that as more services and business migrate to app-based technology, regulators throughout the city, including the TLC, should do everything possible to ensure parity among regulations for "traditional" businesses, and those that utilize new technology like apps.

With regard to the rules presented today for consideration by the Commissioners related to dispatch apps, we believe there are several modifications to the draft rules that would enhance their effectiveness at protecting passenger safety while still supporting innovation and competition in the marketplace. Some of those have been addressed by Commissioner Joshi, but to put a finer point on it, we urge the Commissioners to:

- Rewrite the language in the draft that requires full disclosure of source code technology prior to pushing any change in the app to customers. This code is proprietary and is a key way that companies bring innovation to the marketplace. The TLC is overreaching in its proposal to require full disclosure of that intellectual property and this would set a detrimental precedent for city regulation of technology and innovation companies, which are driving the expansion of our city's economy;
- Refine the regulations around cancellation requirements to reflect the goals and intentions presented by Commissioner Joshi; and

- Ensure that there are proper and adequate holding areas for FHVs at JFK and LGA airports so that drivers can wait within a reasonable proximity to passenger pick-up areas.

We urge every Commissioner to consider the tremendous growth of our economy made possible by technology in so many industries, including the FHV industry. Of course, regulation is critical to ensure passenger safety, but we must not use these or other regulations to stifle innovation or provide unfair advantages to antiquated business models.

Thank you.